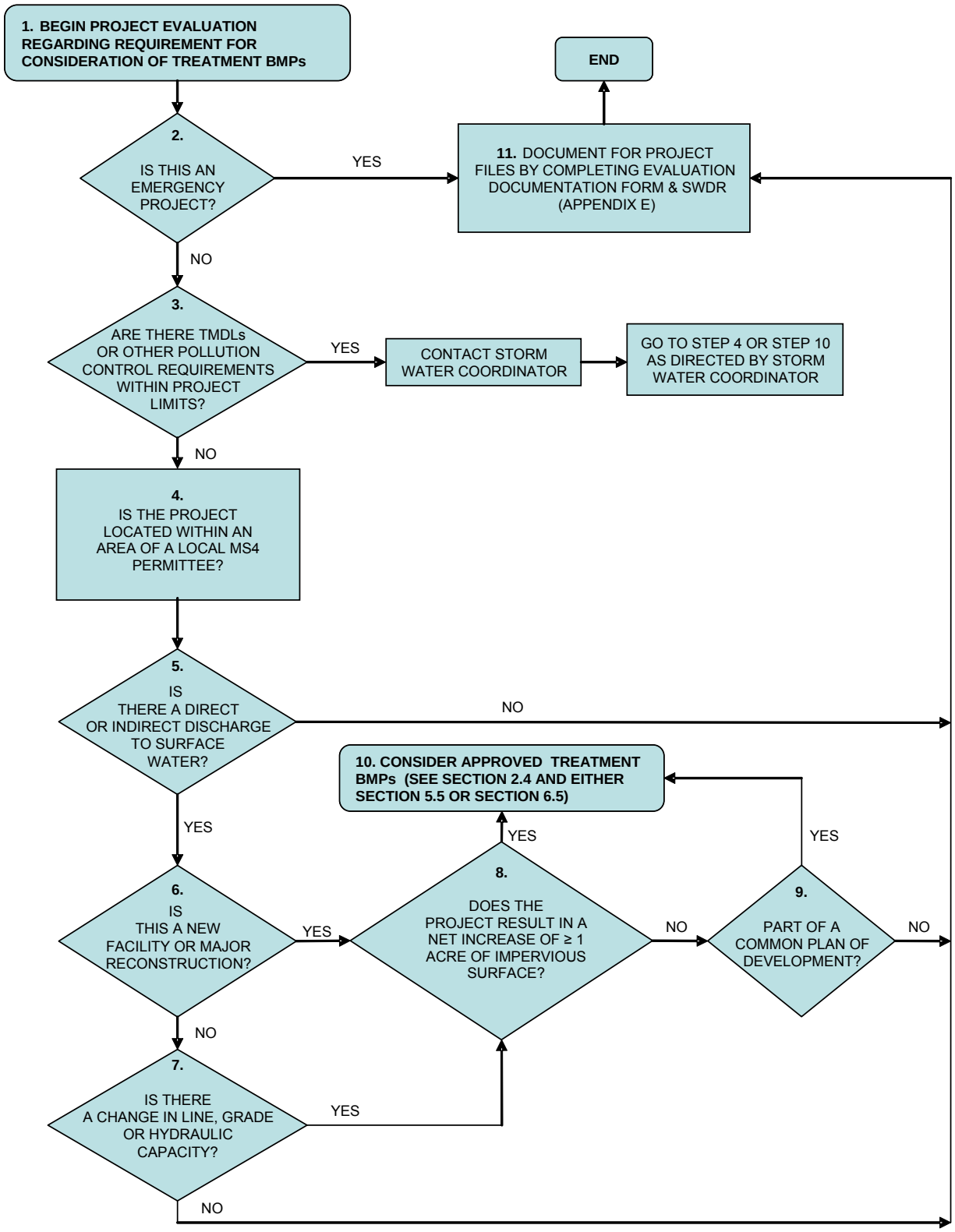
Figure 4-1: Project Evaluation Process for Consideration of Permanent Treatment BMPs



Step 3 – Have TMDLs or other Pollution Control Requirements been established for surface waters within the project limit?

All new construction and major reconstruction projects that discharge into a receiving water for which a TMDL or other Pollution Control Requirement has been established must consider whether Treatment BMPs are required to address the Department's obligations (as applicable). Pollution Control Requirements include, but are not limited to Basin Plan requirements, TMDLs, 303(d) listings and numeric effluent limits. Contact the District/Regional NPDES Storm Water Coordinator to determine if there are any Pollution Control Requirements or TMDLs within the project limits and if the apply to Caltrans. This information should be included in the water quality assessment or equivalent document.

Step 4 – Is the project located within an area of a local MS4 Permittee?

The Caltrans NPDES Permit requires Caltrans to coordinate with local agencies and MS4 programs where they overlap geographically with Caltrans facilities. Designers should follow the requirements of the Caltrans NPDES Permit and related guidance documents regardless of the project location. The MS4 area determination should be included in the water quality assessment or equivalent document. Coordinate with the District/Regional NPDES and/or Design Storm Water Coordinator to determine if your project limits are within an area of a local MS4 Permittee.

Step 5 - Is the project directly or indirectly discharging to Surface Waters?

Surface Waters are known as Waters of the United States and/or Waters of the State. In general, these include creeks, streams, rivers, oceans, reservoirs, wetlands, estuaries and lakes.

A direct discharge means a discharge of surface runoff directly to the surface water body without first flowing through a municipal separate storm sewer system (MS4). An indirect discharge means the discharge of surface runoff to the surface water body through an MS4 stormwater conveyance system, unlisted tributary to the surface water, or a stormwater discharge that otherwise reaches the water body.

If a project directly or indirectly discharges to surface water, the Project Engineer (PE) should consider the additional evaluation criteria in the decision tree, step numbers 3-12. If not, the project is not required to consider the incorporation of Treatment BMPs, and the PE should prepare the appropriate documentation to be attached to the Storm Water Data Report (SWDR).

Step 6 - Does the project constitute a new facility or major reconstruction of an existing facility?

New construction and major reconstruction includes new routes, route alignments, and route upgrades. New construction activity does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of the facility, nor does it include emergency construction activities required to protect public health and safety.

New Construction and major reconstruction projects may include, but are not limited to:

- New highways and freeways;

- Highway-related facilities, including new or reconstructed maintenance facilities, safety roadside rest areas, toll plazas and inspection and weigh stations;
- Adding one or more lanes;
- Adding HOV lanes;
- Construction activities conducted within highway rights-of-way in conjunction with a new facility;
- New or reconstructed interchanges, including on-ramps, off-ramps, and connectors;
- New or reconstructed bridges;
- Tunnels; and
- Drainage system improvements, including changes to pipes, conduits, channels, etc.

Projects containing the elements listed in this section are classified as new facilities or major reconstruction for stormwater purposes.

Step 7 - Will there be a change in line/grade or hydraulic capacity?

Projects that propose a change to the original line, grade, hydraulic capacity, or original purpose of the facility may be required to consider permanent Treatment BMPs. Changes to line, grade or hydraulic capacity include any changes made within the project limits that would alter the hydrologic/hydraulic behavior of stormwater discharges. The following changes would be considered a change in line, grade or hydraulic capacity:

- A change in the time of concentration, peak flow, volume or velocity of stormwater discharges;
- Modifying or creating new drainage ditches, swales, culverts, or storm drain facilities; or
- Changing historic drainage patterns.

Modifying drainage ditches, swales, culverts, or storm drain facilities does not include repairs or grading to re-establish the original line, grade or hydraulic capacity of a ditch or swale, nor does it include minor improvements such as adding culvert flared end sections, energy dissipation, or replacing pipe sections "in-kind."

Examples of activities that would not be considered a change in line, grade or hydraulic capacity include:

- Overlaying a roadway surface;
- Re-grading a ditch to the original line and grade;
- Culvert lining; or
- Replacing a culvert in-kind.

Step 8 - Does the project result in a net increase of one acre or more of new impervious surface?

Projects that result in a net increase of one acre or more of new impervious surface must consider incorporating approved Treatment BMPs.

Step 9 - Is the project part of a Common Plan of Development?

Projects that are part of a larger Common Plan of Development and result in a net increase of one acre or more of new impervious surface must consider Treatment BMPs. In addition, projects designated as part of a Common Plan of Development by the permitting authority must also consider Treatment BMPs. A Common Plan of Development is broadly defined as any announcement on a piece of documentation or physical demarcation indicating that construction activities may occur on a specific plot. This requirement remains in effect regardless of any lapse in time between the initial grading or clearing of the area and the actual construction on a portion of the land that was graded.

Step 10 - Consider Approved Treatment BMPs for the Project

Checklist T-1, Part 1 provides guidance on which Treatment BMP(s) to consider. Checklist T-1, Parts 2 through 10 also contains design questions that lead the designer through an evaluation of each approved Treatment BMP. See Section 2.4 and either Section 5.5, Section 6.5, or Section 7.4.

Step 11 - Project is not Required to Consider Treatment BMPs

All supporting data used to determine whether a project must consider incorporating Treatment BMPs should be summarized for inclusion in the Project Files. A copy of the completed Evaluation Documentation Form and the supporting data shall be attached to the Storm Water Data Report (SWDR).

If it is determined that a project is not required to consider Treatment BMPs, permanent Design Pollution Prevention BMPs and Construction Site BMPs shall still be considered.

DATE: _____

EA: _____

NO.	CRITERIA	YES ✓	NO ✓	SUPPLEMENTAL INFORMATION FOR EVALUATION
1.	Begin Project Evaluation regarding requirement for consideration of Treatment BMPs	✓		See Figure 4-1, Project Evaluation Process for Consideration of Permanent Treatment BMPs. Go to 2
2.	Is this an emergency project?			If **Yes**, go to 11. If **No**, continue to 3.
3.	Have TMDLs or other Pollution Control Requirements been established for surface waters within the project limits? Information provided in the water quality assessment or equivalent document.			If **Yes**, contact the District/Regional NPDES Coordinator to discuss the Department's obligations under the TMDL (if Applicable) or Pollution Control Requirements, go to 10 or 4. _____ *(Dist./Reg. SW Coordinator initials)* If **No**, continue to 4.
4.	Is the project located within an area of a local MS4 Permittee?			If **Yes**. *(write the MS4 Area here)*, go to 5. If **No**, document in SWDR go to 5.
5.	Is the project directly or indirectly discharging to surface waters?			If **Yes**, continue to 6. If **No**, go to 11.
6.	Is it a new facility or major reconstruction?			If **Yes**, continue to 8. If **No**, go to 7.
7.	Will there be a change in line/grade or hydraulic capacity?			If **Yes**, continue to 8. If **No**, go to 11.
8.	Does the project result in a net increase of one acre or more of new impervious surface?			If **Yes**, continue to 10. If **No**, go to 9. _____ *(Net Increase New Impervious Surface)*
9.	Is the project part of a Common Plan of Development?			If **Yes**, continue to 10. If **No**, go to 11.
10.	Project is required to consider approved Treatment BMPs.		See Sections 2.4 and either Section 5.5or 6.5 for BMP Evaluation and Selection Process. Complete Checklist T-1 in this Appendix E.	
11.	Project is not required to consider Treatment BMPs. _____*(Dist./Reg. SW Coord. Initials)* _____*(Project Engineer Initials)* _____ *(Date)*		Document for Project Files by completing this form, and attaching it to the SWDR.	

See Figure 4-1, Project Evaluation Process for Consideration of Permanent Treatment BMPS